

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 91-494-W - ORDER NO. 94-395 ✓  
MAY 2, 1994

IN RE: Application of South Atlantic Utilities,	)	ORDER
Inc. for Approval of an Increase in	)	REQUIRING
Rates and Charges for the Water System	)	COMPANY
at May River Plantation in Bluffton,	)	TO CEASE
South Carolina.	)	AND DESIST

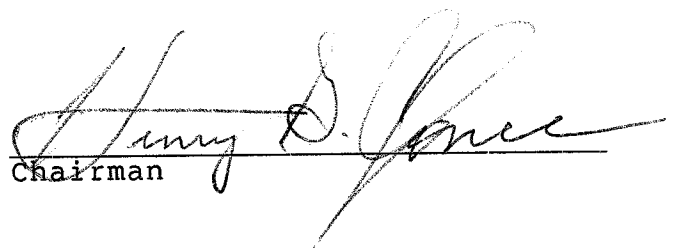
This matter comes before the Public Service Commission of South Carolina (the Commission) on the April 9, 1994 letter of Robert P. Kieffer (Kieffer), a former water customer of South Atlantic Utilities, Inc. (South Atlantic or the Company). Kieffer contends that South Atlantic has continued to attempt to charge him an availability fee, even though he has dug a well and is no longer on the South Atlantic water system. Further, Kieffer alleges that during the hearing on November 24, 1992, South Atlantic orally released him from any future charges contingent to him digging his own well. Kieffer goes on to request that the Commission take whatever action may be available under Regulation 103-702(13), and order South Atlantic to discontinue the charges to him for the availability fee, and to cancel any past charges for that fee that may be on the records.

The Commission, although mindful of its Order No. 93-511 in this Docket, has examined this matter and believes that Regulation

103-702(13) does include an availability fee as a portion of its stated definition for a "rate." Further, the Commission believes that South Atlantic's testimony in its hearing of November 24, 1992 was an oral release of Kieffer from future charges contingent to Kieffer drilling his own well.

Based on the above-stated reasoning, the Commission therefore holds that South Atlantic shall cease and desist from charging Robert P. Kieffer any availability fees now and in the future, and shall cancel the accrued bill of \$156.03 currently pending for the availability fee. The Commission believes that such action is just under the circumstances, whereby Kieffer apparently acted in reliance on the statement of South Atlantic during the hearing. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)